

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MAXWELL SHOE COMPANY, INC.,

Plaintiff,

v.

EDELMAN SHOE COMPANY, LLC and
SAM EDELMAN,

Defendants.

Civil Action No. 04-10694 RCL

**UNOPPOSED MOTION TO ENLARGE TIME
FOR DEFENDANTS TO RESPOND TO COMPLAINT**

Defendants Edelman Shoe Company, LLC and Sam Edelman, request an enlargement of time in which they may answer, respond or otherwise plead to the Plaintiff's Complaint, up to and including *fourteen days* after the Court decides Plaintiff Maxwell Shoe Company, Inc.'s Motion for Preliminary Injunction, which is currently pending before Magistrate Judge Alexander and scheduled for hearing on Thursday July 15, 2004. Defendants respectfully request this enlargement of time to avoid potentially unnecessary filings until after Plaintiff's pending motion is decided. Accordingly, Defendants seek this extension of time to conserve both the parties' and the Court's resources.

Certification of Compliance with Local Rule 7.1


Counsel for Defendants, Edelman Shoe Company, LLC and Sam Edelman, Jeffrey Snow, conferred by telephone with counsel for Plaintiff, Maxwell Shoe Company, Inc., Ilan N. Barzilay, on June 25 and 28, 2004, in an attempt to resolve or narrow the issues presented by this Motion. Mr. Barzilay stated that Plaintiff would not oppose entry of Defendants' Motion.

WHEREFORE, Defendants request entry of this Motion.

EDELMAN SHOE COMPANY, LLC and
SAM EDELMAN,

By their attorneys,

Dated: June 28, 2004


Jeffrey L. Snow, BBO# 566388
Christopher Centurelli, BBO# 640974
Robert T. Milanette, BBO# 641149
KIRKPATRICK & LOCKHART LLP
75 State Street
Boston, MA 02109-1808
(617) 261-3100

Darren W. Saunders
Mark I. Peroff
KIRKPATRICK & LOCKHART LLP
599 Lexington Avenue
New York, NY 10022
(212) 536-3900

Certificate of Service

I hereby certify that a true copy of the above document was served upon the attorney of record for Plaintiff by hand on June 28, 2004.


Christopher Centurelli